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October 4, 2000

David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

RECEIVED  
EXECUTIVE SECRETARY  
OCT 4 PM 2 37  
Via Hand Delivery

RE: Petition for Arbitration by ITC^DeltaCom Communications, Inc. with BellSouth  
Telecommunications, Inc., Pursuant to the Telecommunications Act of 1996; Docket No.  
99-00430

Dear Mr. Waddell:

It has come to my attention that page 8 of the Final Best Offer of ITC^DeltaCom filed October 2, 2000 was inadvertently omitted and that page 9 contained a typographical error. Enclosed are the original and 13 copies of page 8 and 9. Copies have also been provided to BellSouth Telecommunications.

I apologize for the inconvenience.

Sincerely,



H. LaDon Baltimore  
LDB/dcg  
Enclosure

cc: Guy Hicks, Esq. (via facsimile transmission)

POSTED  
10-9-00

Thus, the annual cap for BellSouth using the above formula is \$137 million dollars using 1999 ARMIS data <sup>6</sup>. Tab 2 shows how Tier 1 and Tier 2 remedies should be applied.

(5) Waiver of Opportunity. ITC^DeltaCom's proposal regarding the circumstances under which BellSouth should be given a waiver are described behind Tab 4.

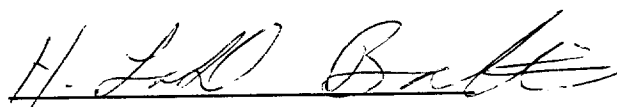
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<sup>6</sup> The Georgia Staff Recommendation included herein under Tab 5 sets a cap at 44% of revenue which results in a much higher cap than that proposed by ITC^DeltaCom using the Texas formula.

### **III. CONCLUSION**

The Final Best Offer described herein and presented through the attachments hereto represent a practical and sound resolution of Issue 1(a) in this case. The proposal complies with the directives of the arbitrators. The TRA should adopt ITC^DeltaCom's Final Best Offers on Issue 1(a).

Respectfully submitted this 2nd day of October, 2000.



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